

DOW, LOHNES & ALBERTSON, PLLC  
ATTORNEYS AT LAW

ORIGINAL

CARLOS M. NALDA  
DIRECT DIAL 202-776-2076  
cnalda@dialaw.com

WASHINGTON, D.C.  
1200 NEW HAMPSHIRE AVENUE, N.W. • SUITE 800 • WASHINGTON, D.C. 20036-6802  
TELEPHONE 202-776-2000 • FACSIMILE 202-776-2222

ONE RAVINIA DRIVE • SUITE 1600  
ATLANTA, GEORGIA 30346-2108  
TELEPHONE 770-901-8800  
FACSIMILE 770-901-8874

EX PARTE OR LATE FILED

December 11, 1996

RECEIVED

DEC 11 1996

Federal Communications Commission  
Office of Secretary

VIA HAND DELIVERY

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Rulemaking to Amend Parts 1, 2, 21, and 25 of the  
Commission's Rules to Redesignate the 27.5-29.5 GHz  
Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency  
Band, to Establish Rules and Policies for Local Multipoint  
Distribution Services and for Fixed Satellite Services  
CC Docket No. 92-927  
Notice of Written Ex Parte Presentation

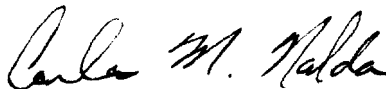
Dear Mr. Caton:

On December 6, 1996, Richard J. Barnett, Technical Consultant to Lockheed Martin Corporation, submitted a written *ex parte* presentation to a member of the Commission's staff, Jennifer Gilsenan. The *ex parte* presentation outlined the status of negotiations among the Ka-band satellite applicants regarding the Region A orbital assignment plan. A copy of the *ex parte* presentation is enclosed.

In accordance with Section 1.1206 of the Commission's Rules, an original and one copy of this letter are being submitted to the Secretary's office and a copy of this letter is being provided to Ms. Gilsenan.

If you have any questions regarding this matter, please do not hesitate to contact me.

Respectfully submitted,



Carlos M. Nalda  
Counsel to Lockheed Martin Corporation

CMN/css  
cc: Jennifer Gilsenan, Esq.

No. of Copies rec'd  
List ABCDE

041

TELEFAX MESSAGE
-----------------

To: Jennifer Gilsenan, FCC

From: Richard Barnett,  
Telecomm Strategies for Lockheed Martin

Date: December 6, 1996

Subject: Orbital Assignment Plan for Region A

Attached is the situation as I understand it to be at present based on discussions with some of the other applicants. There are relatively minor changes in this chart from that submitted to the FCC on September 17, 1996. These are described below.

The major breakthrough has been KaStar's move from 95°W to 73°W (with conditions as described in Note 6, which should not be a problem, and which can be resolved when the next ITU Space Network List is published). This has freed up a location in the congested part of the arc and so we now have enough orbit slots in the 95°W to 105°W range for the required satellites in this range (see Note 3). Unfortunately there has not been sufficient time for these applicants (AT&T, GE Americom, Hughes, Lockheed Martin and Netsat28) to resolve exactly which satellites will go to which location. I estimate that one further week would be sufficient to make this final determination.

At the time of preparation of this chart Loral and VisionStar have not yet resolved which gets 115°W and which gets either 116.8°W or 113°W. This is a situation where we have a requirement for two satellites and three available orbit locations. I estimate that this situation can also be resolved within the next week.

The only other condition is that imposed previously by PanAmSat concerning the acceptability of 79°W (see Note 4).

Best regards,

*Richard Barnett*

Orbit Long. (°E)	USASAT #	Original Applicant	A T & T	C O M M	E C H O	G E	H U G H	K A S T	L O C K	L O R A	M O R N	N E T S	O R I O	P A N	V I S	Applicant responsible for AP3 preparation.	Assignee	Foreign satellite with priority
------------------	----------	--------------------	------------------	------------------	------------------	--------	------------------	------------------	------------------	------------------	------------------	------------------	------------------	-------------	-------------	--	----------	---------------------------------

## REGION "A" (148°W to 67°W):

148W		Morning Star																
147W	31A										♥					Morning Star	Morning Star	
140W		KaStar																
139W	31B							♥								KaStar	(spare)	
127W	31D	Orion								♥			♥			Orion	Orion	
125W	31E		♥							♥						AT&T	(spare)	
123.2W																		LUX-KA-123.2W
123W	31F							♥		♥						KaStar	(spare)	
121W	31G									♥					♥	VisionStar	(EchoStar <sup>1</sup> )	
119W	31C *									♥						Loral	(EchoStar <sup>1</sup> )	
118.7W																		CANSAT KA-5
116.8W	32A *		♥		♥					♥					♥	PanAmSat	See Note 2	
115W	31H							♥		♥						KaStar	See Note 2	
113W	31I		♥	♥						♥					♥	AT&T	See Note 2	
111.1W																		CANSAT KA-4
110W		Loral																
109.2W	31J			♥						♥					♥	Loral	KaStar	
108W																		INSAT-KA 108W
107.3																		CANSAT KA-1
106W		GE Americom																

<sup>1</sup> EchoStar will occupy either 121W or 119W.

<sup>2</sup> There are now three available U.S. orbit locations in the range 113°W to 116.8°W with a requirement for only two satellites in total from the following applicants: Loral and VisionStar. Both of these applicants desire the 115°W orbit location and they have not yet resolved the situation.

\* indicates a USASAT filing moved from another location

Orbit Long. (°E)	USASAT #	Original Applicant	A T & T	C O M M	E C H O	G E	H U G H	K A S T	L O C K	L O R A	M O R N	N E T S	O R I O	P A N A	V I S I	Applicant responsible for AP3 preparation.	Assignee	Foreign satellite with priority
105W	31K	Motorola VisionStar		♥		♥	♥		♥	♥		♥			♥	Motorola	See Note 3	
103W	31L	Motorola, AT&T NetSat 28 PanAmSat (late)	♥	♥		♥	♥		♥	♥		♥			♥	Motorola	See Note 3	
101W	31M	Hughes		♥			♥	♥	♥	♥		♥			♥	Hughes	See Note 3	
99W	31N	Hughes		♥			♥	♥	♥	♥		♥				Hughes	See Note 3	
97W	31O		♥				♥	♥	♥	♥		♥				Lockheed Martin	See Note 3	
96W		Lockheed Martin																
95W	31P	KaStar		♥			♥	♥	♥	♥		♥				KaStar	See Note 3	
93.2W																		LUX-KA-93.2W
93W	31Q	AT&T Orion	♥	♥			♥	♥		♥		♥	♥			Orion	AT&T	
91W	31R		♥	♥	♥				♥	♥		♥		♥		AT&T	Motorola	CANSAT KA-2
89W	31S			♥	♥					♥						Motorola	Orion	SAMSAT-3
88W		Motorola																
87W	31T		♥	♥	♥	♥				♥						Motorola	Motorola	
86W		Motorola																
85W	31U	EchoStar	♥	♥	♥	♥				♥						EchoStar	GE Americom	
83W	31V	Orion		♥						♥			♥			Orion	EchoStar	
82W		GE Americom																CANSAT KA-3 SAMSAT-2
81W	31W			♥		♥				♥					♥	GE Americom	Orion	
79.2W																		LUX-KA-79.2W

3

There are now six available U.S. orbit locations in the range 95°W to 105°W, and a total of six required orbit locations for the following applicants: AT&T, GE Americom, Hughes, Lockheed Martin and Netsat28. The applicants in this range have tentatively agreed to operate their satellites with a nominal 0.05° offset to the west, and with reduced station-keeping of  $\pm 0.05^\circ$ , thereby increasing the separation from the Luxembourg satellite at 93.2°W by 0.1° relative to the worst case orbital spacing using the station-keeping assumed in the ITU publications ( $\pm 0.1^\circ$ ). It is also assumed that the Luxembourg network at 93.2°W will take similar measures in an eastward direction to increase the orbital separation by an additional 0.1°. However, the above applicants in this range have not yet finally determined which satellite will operate in which available location, although there are enough locations for all the required satellites.

\* indicates a USASAT filing moved from another location

Orbit Long. (°E)	USASAT #	Original Applicant	A & T	C O M M	E C H O	G E	H U G H	K A S T	L O C K	L O R A	M O R N	N E T S	O R I O	P A N	V I S I	Applicant responsible for AP3 preparation.	Assignee	Foreign satellite with priority
79W	31X	PanAmSat								♥				♥		PanAmSat	PanAmSat <sup>4</sup>	
77W	31Y							♥		♥				♥		PanAmSat	Motorola	
75.2W																		INSAT-75.2W
75W	31Z							♥								KaStar	Motorola	SAMSAT-1
73W	TBD <sup>5</sup>			♥											♥	PanAmSat	KaStar <sup>6</sup>	
72.5W																		See Note 4
69.5W		Morning Star																
69W	32A															<i>moved to 116.8W</i>		
67W	32B	Hughes						♥								Hughes	Hughes	

<sup>4</sup> PanAmSat acceptance of this orbit location is conditioned upon FCC acceptance of late PanAmSat applications being included in this processing round.

<sup>5</sup> FCC will make a new Advance Publication (AP4) for 73W. Network name for this orbit location is "to be defined" (TBD).

<sup>6</sup> KaStar acceptance of this orbit location is conditioned upon official notification from the ITU that there is no Indian ITU filing at 72.5°W. Research has shown that the current entry for an Indian network at 72.5°W in the ITU Space Network List is a typographical error, and this has been confirmed verbally by ITU representatives.

\* indicates a USASAT filing moved from another location